

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DARLENE MELTON : CIVIL ACTION
: :
: :
v. : :
: :
: :
UNITED STATES SOCIAL SECURITY : :
ADMINISTRATION : NO. 10-7217

ORDER

AND NOW, this 18th day of August, 2011, upon consideration of Defendant United States Social Security Administration's Motion for Partial Summary Judgment (Docket No. 6), Plaintiff's response thereto, and Defendant's reply, and for the reasons set forth in the accompanying Memorandum, **IT IS HEREBY ORDERED** that the Motion is **GRANTED IN PART** and **WITHDRAWN IN PART** as follows:

1. The Motion is **GRANTED** insofar as it seeks judgment in Defendant's favor on Plaintiff's claim of race discrimination and gender discrimination, and claims arising out of any alleged failure to promote.
2. The Motion is **WITHDRAWN** insofar as it seeks judgment in Defendant's favor on Plaintiff's claim that a performance evaluation that she received was retaliatory.
3. **JUDGMENT IS ENTERED** in favor of Defendant and against Plaintiff on Plaintiff's claims of race discrimination and gender discrimination, and claims arising out of any failure to promote.

BY THE COURT:

/s/ John R. Padova, J.

John R. Padova, J.